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December 30, 2010

VIA ECF

The Honorable Esther Salas
United States Magistrate Judge
United States District Court for the
District Court of New Jersey
50 Walnut Street
Newark, NJ 07101-0419

**Re: Marlowe Patent Holdings v. Dice Electronics, LLC, et al.
Civil Action No. 2:10-cv-01199-PGS-ES**

Dear Judge Salas:

On behalf of Marlowe Patent Holdings, LLC, we write to request a modification of the schedule for presenting to the Court the various alleged deficiencies the defendants have raised with respect to Marlowe's discovery responses. Pursuant to the Court's prior order, opening portions of the joint submission, explaining why the discovery responses Marlowe gave were deficient, were to have been served by the defendants on the plaintiff by December 24, and Marlowe was to have served its response on defendants by January 3. We request the January 3 date be moved to January 17. One prior extension was granted by this Court. The hearing on the dispute is set for February 17.

Of the five defendants, PIE and VAIS have indicated they do not object to this request, DICE has indicated it is not "taking a position either way, but rather, will rely upon the consensus of the remaining defendants who have and have not yet responded" and AAMP has not responded. Defendant LTI has objected on the basis that allowing until January 17 for responsive portions to be served might result in the February 17 hearing date being altered, causing change penalties for the travel arrangements of counsel.

Granting the requested extension will not prejudice the parties for the following reasons:

First, service of Marlowe's responsive portion on January 17 would still permit the joint submission to the Court to be made nearly a full month before the February 17 hearing date, so it is hard to imagine this would cause a change in the hearing date.

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(MICHAEL R. GILMAN, A NAME PARTNER, IS A MEMBER OF THE NY AND CT BARS ONLY)

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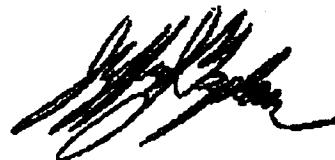
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Second, two defendants already took their own extension, serving no opening portion by the December 24 due date. When counsel for Marlowe raised this yesterday, one of these defendants advised counsel for Marlowe to use certain correspondence it served months ago as the opening portion of the joint submission, even though that correspondence is not in the form for incorporation into the joint submission, and another indicated that it was joining the other defendants' positions that had been served on December 24. Marlowe should not be prejudiced for seeking Court approval for the same relief defendants simply took on their own.

In any event, the underlying reason for the request is twofold. First, while we believed we would be able to make the January 3 date when it was ordered, we will not be able to finish the Marlowe portion of the joint submission by that date. Several of the defendants served extremely lengthy opening portions – more than 30 pages in one case. Second, Marlowe did delay working on the responsive portion because settlement discussions have been active, and the hope was, one or more defendants might settle out. Indeed, in just the past few days there have been numerous offers and counteroffers exchanged.

Marlowe recognizes one extension has already been granted, but submits the hearing date of February 17 will not be affected by the request, and respectfully requests until January 17 to serve its responsive portion on defendants.

Respectfully submitted,
KAPLAN GILMAN & PERGAMENT LLP



Jeffrey I. Kaplan

JIK/pa

c: Counsel of record, via ECF

The Court must receive the
submission on or before January 21, 2011.

So Ordered
Esther Salas USDC
1/4/11